

1. Explanation of Material Transmitted:

This new NIH delegation provides authority for the NIH Senior IRM Official and the NIH Institutes, Centers, and Divisions (ICDs) to grant exemptions to Executive Order 12845, "Requiring Agencies to Purchase Energy-Efficient Computer Equipment", consistent with the January 12, 1994 redelegation of this authority to the NIH Director by the Deputy Assistant Secretary for Health Management Operations. NIH Policy Manual 2802, Energy Star Program Requirements and Procedures, defines the responsibilities and procedures for exercising this authority.

2. Filing Instructions:

Remove: None

Insert: NIH Manual 1130, General Administration # 17C,
Exemptions to EPA Energy Star Requirements, dated
10/18/94

3. Distribution: NIH Mailing Keys F-401, F-402, F-404, F-407

PLEASE NOTE: To sign up for email notification of future changes, please go to the NIH Manual Chapters LISTSERV Web page [<http://list.nih.gov/archives/nih-manual-chapters.html>].

Authority Delegated

The authority to grant exemptions to Executive Order 12845 "Requiring Agencies to Purchase Energy-Efficient Computer Equipment", consistent with delegated clearance authority, is delegated as follows:

To Whom Delegated	Area of Authority
Associate Director for Administration	Office of Information Resources Management (OIRM)
Director, OIRM	NIH
NIH Senior IRM Official	NIH
Director, Division of IRM Oversight and Clearance, OIRM	NIH
ICD Executive Officers	Respective ICD

The clearance authority levels are defined in NIH Policy Manual 1130, Delegations of Authority, General Administration #17A.

Limitations

Exemptions may be granted, on a case-by-case basis, based on the following criteria:

- a. commercial availability of qualifying equipment;
- b. significant cost differential of the equipment;
- c. the agency's performance requirements;
- d. the agency's mission; or
- e. special equipment for individuals with disabilities fails to meet Energy Star requirements.

Exemptions to EPA Energy Star Requirements

Redelegation

1. The NIH Senior IRM Official and the Director, OIRM, may redelegate authority, commensurate with their delegated FIP clearance authority.
2. ICD Executive Officers may redelegate authority, commensurate with their delegated FIP clearance authority, to FIP clearance officials within their ICD.

Citations

1. Memorandum to PHS Agency Heads from the Deputy Assistant Secretary for Health Management Operations, dated January 12, 1994, entitled: Delegation of Authority to Grant Exemptions to Executive Order 12845 Requiring Agencies to Purchase Energy-Efficient Computer Equipment.
2. Memorandum to Heads of Operating Divisions from the Assistant Secretary for Management and Budget, dated December 20, 1993, entitled: Delegation of Authority to Grant Exemptions to Executive Order 12845 Requiring Agencies to Purchase Energy-Efficient Computer Equipment.
3. General Services Administration publication entitled: "Energy Efficient Computers: Guidelines on Acquisition, Management, and Use", dated July 1994.
4. Federal Information Resources Management Regulation (FIRMR) Bulletin C-35, November 19, 1993.
5. Draft DHHS IRM Circular on the Purchase of Energy-Efficient

Computer Equipment, dated October 29, 1993, from the Acting Director, Division of ADP and Telecommunications Management, OASH.

6. NIH Policy Manual 2802, Energy Star Program Requirements and Procedures, dated July 15, 1994. (Rescinded 5/31/02)
7. NIH Policy Manual 1130, Delegations of Authority, General Administration #17A, dated April 25, 1994.
8. Secretary's Reorganization Order of June 29, 1973 (38FR 18261).
9. Redlegation of Authorities by the Assistant Secretary for Health, June 18, 1973 (38FR 18261). [Continued by the Secretary, April 18, 1979 (44FR 23132).]

/s/

Harold Varmus, M.D.
Director, NIH

Effective Date: October 18, 1994